

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re: Thomas & Teena Santy  
4701 Red Gate Drive  
Disputanta, VA 23842  
Last four digits of SSN: xxx-xx-0501  
Last four digits of Joint SSN: xxx-xx-6201

Case No. 12-36417  
Chapter 13  
Trustee: Hyman

**MOTION FOR MORTGAGE LOAN MODIFICATION  
BY CHAPTER 13 DEBTOR AFTER CONFIRMATION**

COMES NOW the Debtor(s), Thomas & Teena Santy, by counsel and respectfully makes Motion for Authority to enter into a mortgage loan modification after confirmation pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Rule 6004-4. In support of his motion the Debtor states as follows:

1. Thomas & Teena Santy (the "Debtor") commenced this case on November 8, 2012 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.
2. The Debtor's Chapter 13 plan has been confirmed on February 7, 2013.
3. The Debtor(s) owns the real estate situated in Prince George, Virginia known as 4701 Red Gate Drive, Disputanta, VA 23842 (the "Real Property") by way of Deed. The legal description of the Real Property is as follows:

ALL that parcel of land being in Rives Magisterial District, Prince George County, Virginia, containing 5 acres, more or less, on the south side of and adjacent to Red Gate Drive (formerly Union Branch Church Road) and indicated as Parcel 1-A on a plat thereof entitled "Plat Of Parcel 1-A, Division Of Parcel 1, Stephen Brownley Property, 5.0 +/- Acres Of Land Situated Off Of State Route #661, Rives District, Prince George County, Virginia, For Peter G. Manetas & Eleftheria P. Manetas", dated December 13, 1984, made by Charles C. Townes & Associates, and attached to the deed recorded January 10, 1985, in Deed Book 274, at page 214 in the Circuit Court of Prince George County, Virginia.

LESS AND EXCEPT all that certain piece or parcel of land containing 0.18 acre, indicated as Parcel C on a plat made by Charles C. Townes & Associates, P.C., entitled "Plat of Parcels to Be Exchanged Situated Off Of State Route #661, Rives District, Prince George County, Virginia", dated October 21, 1986, and recorded November 12, 1986 in the aforesaid Clerk's Office, in Deed Book 290, at page 604.

4. The Debtor has been approved for a loan modification with Bsi Financial Services.
5. Upon information and belief, the Real Property is encumbered by a lien in favor of Bsi Financial Services, and the present unpaid principal balance according to the offered modification agreement is approximately \$187,905.60
6. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Before Modification	10/4/2007	\$172,515.32	3%	\$651.85	11/1/2037
After Modification	5/1/2013	\$187,905.60	2%	\$511.49	5/1/2053

**A. The modified loan includes future payment changes as described below; and**

Step Rate Schedule (if applicable)

Years	Interest Rate	Interest Rate Change Date	Monthly Principal and Interest Payment Amount	Estimated Monthly Escrow Payment Amount*	Total Monthly Payment*	Payment Begins On	Number of Monthly Payments
[1-5]	2.000%	5/1/2013	\$511.49	251.23	\$762.72	6/1/2013	60
[6]	3.000%	5/1/2018	\$594.23	May adjust periodically	May adjust periodically	6/1/2018	12
[7]	4.000%	5/1/2019	\$681.57	May adjust periodically	May adjust periodically	6/1/2019	12
[8-40]	4.625%	5/1/2020	\$737.95	May adjust periodically	May adjust periodically	6/1/2020	396

**B. The modification results in a lower monthly payment of \$139.36, the debtor does not Intend to increase the amount of his plan payment. The debtors have had another child since the date of filing which causes their expenses to increase.**

7. Debtor further requests that the Court waive application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter in order to facilitate the efficient closing on the loan modification of the Real Property.

WHEREFORE, the Debtor(s) prays that this Court enter an Order:

1. That approves the loan modification of the Real Property with Bsi Financial Services;
2. That waives the application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter;
3. That releases the Trustee from paying any further arrears claim to Bsi Financial Services; and
4. For such other and further relief as the Court deems just and proper.

Respectfully submitted:  
Thomas & Teena Santy

By: /s/ Pia J. North  
Pia J. North, Esq., #29672  
Attorney for Debtor(s)  
North & Associates, P.C.  
5913 Harbour Park Drive  
Midlothian, VA 23112  
Phone: (804) 739-3700  
Fax: (804) 739-2550

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Case No. 12-36417  
Chapter 13  
Trustee: Hyman

**NOTICE OF MOTION**

Pia J. North, attorney for **Thomas & Teena Santy** has filed a Motion for Mortgage Loan Modification after Confirmation pursuant with the Court. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
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**A. The modified loan includes future payment changes as described below; and**

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**B. The modification results in a lower monthly payment of \$139.36, the debtor does not intend to increase the amount of his plan payment. The debtors have had another child since the date of filing which causes their expenses to increase.**

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before 21 days from September 17, 2013, you or your attorney must:

- x** File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 E. Broad Street, Suite 4000  
Richmond, VA 23219-3515

You must also mail a copy to:

Pia J. North, Esquire  
5913 Harbour Park Drive  
Midlothian, VA 23112

Office of the U.S. Trustee  
701 East Broad Street, Suite 4304  
Richmond, VA 23219-3515

Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218

- ☐ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- X** Attend the hearing on the motion (or objection) scheduled to be held on **October 16, 2013** at **12:00pm**. at United States Bankruptcy Court, 701 E. Broad Street, Suite 5100, Richmond, VA 23219-3515.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: September 17, 2013

/s/Pia J. North  
Pia J. North  
5913 Harbour Park Drive  
Midlothian, VA 23112  
(804) 739-3700

Certificate of Service

I hereby certify that I have on September 17, 2013, transmitted a true copy of the foregoing Notice and Motion for Mortgage Loan Modification after Confirmation electronically through the Court's CM/ECF system or by first class mail, postage pre-paid to: the Debtor(s); Carl M. Bates, Chapter 13 trustee; the United States trustee; all parties having a lien against the property; and any creditor who has requested to receive all notices in the case if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1(d)(3), and to all creditors and parties in interest on the mailing matrix maintained by the clerk of court, a copy of which is attached.

/s/Pia J. North

Pia J. North for Thomas & Teena Santy

North & Associates, PC  
Pia J. North  
5913 Harbour Park Drive  
Midlothian, VA 23112

Ballato Law Firm  
3721 Westerre Parkway  
Henrico, VA 23233

Berkeley & DeGaetani  
1301 N Hamilton St.  
Suite 200  
Richmond, VA 23230

Bsi Financial Services  
314 S. Franklin Street  
Titusville, PA 16354

Bureau of Account Mgmnt  
3607 Rosemont Avenue, Ste 502  
Post Office Box 8875  
Camp Hill, PA 17001-8875

CBCS  
Post Office Box 69  
Columbus, OH 43216-0069

Central State Hospital  
26317 West Washington Street  
Petersburg, VA 23803

Citibank  
Post Office Box 6500  
Sioux Falls, SD 57117

Clay Home Medical  
3333 S. Crater Road  
Petersburg, VA 23805

Colflax Capital Corporation  
fka Rome Finance Company  
P.O. Box 1597  
Lawrenceville, GA 30046

Commonwealth of VA-Tax  
P.O. Box 2156  
Richmond, VA 23218-2156

Creditors Collection  
4530 Old Cave Spring Rd  
Roanoke, VA 24018

Dominion Law Associates  
Post Office Box 62717  
Virginia Beach, VA 23466-2717

Durham & Durham  
5665 New Northside Drive  
Suite 340  
Atlanta, GA 30328

Erie Insurance Company  
100 Erie Insurance Place  
Erie, PA 16530-0001

Heritage Family Library  
2451 Atrium Way  
Nashville, TN 37214

I C System Inc  
Po Box 64378  
Saint Paul, MN 55164

Internal Revenue Service  
Insolvency Unit  
Post Office Box 7346  
Philadelphia, PA 19114

John Tyler Community College  
13101 JeffersonDavis Hwy  
Chester, VA 23831-5316

Joseph G. Fianfortoni, M.D.  
7603 Forest Avenue  
Henrico, VA 23229

Juice Plus  
12754 Chatter Brook Drive  
Catharpin, VA 20143

LabCorp  
P.O. Box 2240  
Burlington, NC 27216

Lifesource Fertility Center  
7603 Forest Avenue  
Suite 204  
Henrico, VA 23229

LTD Credit Services  
4590 E. Broad Street  
Columbus, OH 43213-1301

Ltd Financial Svcs Lp  
7322 Southwest Fwy Ste 1  
Houston, TX 77074

Lundie Financial & Insurance  
1021 Boulevard  
Colonial Heights, VA 23834-3258

McComb & Stewart Denistry, P.C  
530 E. Main St.  
Richmond, VA 23219

Morris, Hardwick, Schneider  
22375 Broderick Drive  
Suite 210  
Sterling, VA 20166

NCO Financial Systems  
507 Prudential Road  
Horsham, PA 19044

Neurocare of Virginia, P.C.  
P.O. Box 11768  
Richmond, VA 23230

OneMain Financial  
6801 Colwell Blvd  
C/S Care Dept  
Irving, TX 75039

Palisades  
P. O. Box 1274  
Englewood Cliffs, NJ 07632

Partners in Family Medicine PC  
430 Claremont Ct. Ste 123  
Colonial Heights, VA 23834

Petersburg Pathology  
Post Office Box 8909  
Jacksonville, FL 32239

Dennis Petrocelli, M.D.  
9512 Iron Bridge Road  
Suite 201  
Chesterfield, VA 23832

Prince George County - PP Tax  
P.O. Box 156  
Prince George, VA 23875

Prince George Cty Treas. RE  
P.O. Box 156  
Prince George, VA 23875

Prince George Social Services  
P.O. Box 68  
Prince George, VA 23875

Professional Account Sevs.Inc  
P.O. Box  
Brentwood, TN 37024

Radiology Ass. of Richmond, In  
P.O. Box 13343  
Richmond, VA 23225

SCI  
P.O. Box 85005  
Richmond, VA 23285

Southside Regional Med Ctr.  
801 S. Adams Street  
Petersburg, VA 23803

Southside Women's Health Care  
P.O. Box 2440  
Chesterfield, VA 23832

TekCollect  
P.O. Box 1269  
Columbus, OH 43216

Thd/Cbna  
Po Box 6497  
Sioux Falls, SD 57117

The Rahman Group  
8905B Three Chopt Road  
Henrico, VA 23229

The Rose Law Firm  
921 Mainstreet  
P.O. Box 5560  
Hopkins, MN 55343-7515

Thompson, McMullan, PC.  
100 Shockoe Slip, 3rd Floor  
Richmond, VA 23219

Tri City Surgical Associates  
700 S Sycamore St  
Suite 12  
Petersburg, VA 23803

Universal Collection System  
P.O. Box 751090  
Memphis, TN 38175

Urosurgical Center of Richmond  
9105 Stony Point Dr.  
Richmond, VA 23235

Verizon Virginia Inc  
500 Technology Dr  
Weldon Spring, MO 63304

Virginia Emergency Group  
P.O. Box 2871743  
Atlanta, GA 30384-1743

Virginia Urology  
Post Office Box 79437  
Baltimore, MD 21279-0437